

HOUSE BILL 2258

By McMillan

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 1; Title 5, Chapter 20; Title 6, Chapter 54; Title 7, Chapter 86; Title 68, Chapter 120 and Title 68, Chapter 102, relative to safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 120, Part 4, is amended by deleting the part in its entirety and by substituting instead the following:

Section 68-120-401. All appeals filed after the effective date of this act shall be conducted pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, Part 3.

SECTION 2. Tennessee Code Annotated, Section 5-1-116, is amended by adding a new subsection thereto, as follows:

(c) Upon request of any interested person and payment of a fee of not more than one dollar (\$1.00) per page, the presiding officer or head of the legislative body, agency or instrumentality in possession of a building code, safety and health code, or any other standardized code or document shall certify to any part thereto.

SECTION 3. Tennessee Code Annotated, Section 6-54-502, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) Any municipality is hereby authorized to adopt by reference the provisions of any code or portions of any code as herein defined, without setting forth the provisions of such codes in full; provided, that at least one (1) copy of the code that is incorporated or adopted by reference is filed in the office of the clerk or recorder of the municipality and is kept available for public use, inspection, and examination. Any municipality is likewise authorized and

empowered to adopt by reference the provisions of any public records; provided, likewise, that one (1) copy of such public record is kept on file in the office of the clerk of the municipality as provided above for codes. The filing requirement herein prescribed shall not be deemed to be complied with unless the required copy of such code or public record is filed with the clerk of such municipality for a period of fifteen (15) days prior to adoption of the ordinance which incorporates such code or public record by reference. Upon request of any interested person and payment of a fee of not more than one dollar (\$1.00) per page, the presiding officer of a municipality in possession of a building code, safety and health code, or any other standardized code or document shall certify to any part thereto.

SECTION 4. This act shall take effect July 1, 2005, the public welfare requiring it.